

U.S. DISTRICT COURT
IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

SAFE BED TECHNOLOGIES COMPANY

)

DACKETED

APR 22 2004

Plaintiff,

)

Civil Action No. 02C 0097

v.

)

Judge Charles R. Norgle
Magistrate Judge Martin C. Ashman

KCI USA, INC., LOYOLA UNIVERSITY
HEALTH SYSTEM, RUSH SYSTEM FOR
HEALTH, SWEDISH COVENANT HOSPITAL
and SHERMAN HOSPITAL

)

JURY TRIAL DEMANDED

)

Defendants.

)

F I L E D

Apr 19 2004

TO: See Attached Service List

MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT

PLEASE TAKE NOTICE THAT on Tuesday, April 27, 2004, at 10:30 a.m., the undersigned will appear before the Honorable Martin C. Ashman in the courtroom usually occupied by him at the United States District Courthouse, 219 South Dearborn, Room 1386, Chicago, Illinois and then and there present **DEFENDANTS UNOPPOSED MOTION FOR LEAVE TO FILE INSTANTER A RESPONSE BRIEF IN EXCESS OF 15 PAGES**, a copy of which is hereby served upon you.

Respectfully submitted,



Raymond P. Niro
Sally Wiggins
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Attorneys for Defendants



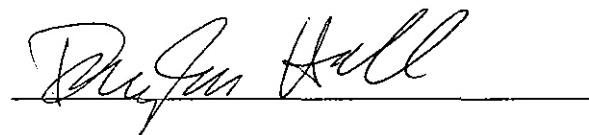
CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true copy of the foregoing **NOTICE OF MOTION** and **DEFENDANTS UNOPPOSED MOTION FOR LEAVE TO FILE INSTANTER A RESPONSE BRIEF IN EXCESS OF 15 PAGES** was served on April 19, 2004, upon the below listed parties by facsimile and first-class mail:

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Attorneys for Safe Bed Technologies Company



IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

SAFE BED TECHNOLOGIES COMPANY)
Plaintiff,) Civil Action No. 02C 0097
v.)
KCI USA, INC., LOYOLA UNIVERSITY) Honorable Charles R. Norgle
HEALTH SYSTEM, RUSH SYSTEM FOR) Magistrate Judge Ashman
HEALTH, SWEDISH COVENANT HOSPITAL)
and SHERMAN HOSPITAL)
Defendants.)

FILED

Apr 19 2004

DEFENDANTS' UNOPPOSED MOTION FOR LEAVE TO FILE INSTANTER A RESPONSE BRIEF IN EXCESS OF 15 PAGES

MICHAEL W. DOBBINS
U.S. DISTRICT COURT

Defendants, through their attorneys, and pursuant to Local Rule 7.1, hereby move this court for leave to file a memorandum of law in excess of 15 pages in support of Defendants' Claim Construction. In support of their motion, Defendants state as follows:

1. Defendants have carefully edited their memorandum of law to avoid repetition except where necessary, but require more than the 15 pages generally permitted under the local rules to address the claim construction issues presented by the patent-in-suit. Defendants' memorandum consists of 45 pages.
2. Plaintiff does not oppose this motion.

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WHEREFORE, Defendants respectfully request that this Court enter an Order granting its motion for Leave to File *Instanter* a Brief in Excess of Fifteen Pages.

Respectfully submitted,



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